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Docket No.: 029163.00018-US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent of:
Valentino J. Stella et al.

U.S. Patent No.: 6,204,257

Issued: March 20, 2001

For: WATER SOLUBLE PRODRUGS OF
HINDERED ALCOHOLS

TRANSMITTAL LETTER

Mail Stop: ~~Hatch-Waxman~~ PTE
U.S. Patent and Trademark Office
Office of Patent Legal Administration
Room MDW 7D55
600 Dulany Street (Madison Building)
Alexandria, VA 22313

Dear Madam:

Enclosed are the following items for filing in connection with the above-referenced
Patent:

1. Information Disclosure Statement; and
2. Return receipt postcard.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to
be filed or which should have been filed herewith (or with any paper hereafter filed in this patent by
this firm) to our Deposit Account No. 50-0740, under Docket No. 029163.00018-US00. A
duplicate copy of this paper is enclosed.

It is not believed that extensions of time or fees are required for this filing. However, if extensions of time or fees are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: May 29, 2009

Respectfully submitted,

By


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Dear Madam:

In accordance with the duty of disclosure described in 37 C.F.R. § 1.765 and acknowledged under 37 C.F.R. § 1.740(13), Marketing Applicant, Eisai Medical Research, Inc., as agent for Applicant, the University of Kansas, wishes to formally inform the Office that two patent term extension applications have been filed concurrently with respect to the regulatory review period for LUSEDRA™ (fospropofol disodium) Injection. Such patent term extension applications are now pending before the Office and pertain to U.S. Patent Nos. 6,204,257 (i.e., the present application) and 6,872,838. It is requested that the Office examine these applications concurrently so that a meaningful election can be made upon the receipt of a Notice of Final Determination and

Requirement of Election as to which patent to ultimately extend in accordance with 37 C.F.R. § 1.785.

It is believed that no fee is required for the filing of this Information Disclosure Statement. However, should a fee be required with the filing of this paper (or with any paper hereafter filed in this patent term extension application by this firm), the Director is hereby authorized to charge our Deposit Account No. 50-0740, under Docket No. 029163.00018-US00. A duplicate copy of this paper is enclosed.

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